

**REMARKS**

Claims 1, 3-6, and 10-16 have been cancelled. Claims 2, 7-9 and 17-19 are pending. Claim 1 has been amended to further clarify the invention.

No new matter has been added by way of this amendment.

**Rejection of Claims 2, 7-9, and 17-19 Under 35 U.S.C. § 102(e)**

Claims 2, 7-9 and 17-19, have been rejected under 35 U.S.C. §102(e) as being allegedly anticipated by Reeves et al. (U.S. Patent No. 6,759,536, October 2, 1998) (“the 536 Patent”). The Office alleges that the ‘536 Patent discloses every element of the present invention. Applicants respectfully traverse this rejection for the reasons set forth below.

The legal standard for anticipation under 35 U.S.C. § 102 is one of strict identity. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 63 U.S.P.Q.2d 1597 (Fed. Cir. 2002). To anticipate a claim, a single prior source must contain each and every limitation of the claimed invention. *In re Paulson*, 30 F.3d 1475, 1478-79, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994) (citing *In re Spada*, 911 F.2d 705, 708, 15 USPQ2d 1655, 1657 (Fed. Cir. 1990)). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131.

Applicants have amended claim 1 to more clearly define the invention. Applicants believe that each and every limitation of the claimed invention, as disclosed in amended claim 1, is not found in the ‘536 Patent. Accordingly, it is respectfully submitted that the strict identity standard of anticipation under 35 U.S.C. § 102(e) is not met and therefore this rejection may properly be withdrawn.

**CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 300622004810. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 12, 2009

Respectfully submitted,

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